

Remarks

The Office Action mailed February 21, 2006 has been reviewed and carefully considered. Claims 1, 6, 7, 12 and 18 are currently amended. Claims 4-5, 10-11, 15-16, and 21-22 have been cancelled without admission and without prejudice. Claims 1-3, 6-9, 12-14, and 17-20 are now pending in the application. No new matter has been added. In the Office Action, the Examiner rejects claims 1-22 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,643,641 issued to Snyder ("Snyder"). Applicant respectfully traverses this rejection.

Despite Applicant's Response filed in remarks on February 27, 2005, the Examiner continues cites to prior art that is not the basis for a current rejection and states he is "not persuaded" that the pending claims are patentable over "Edelman" and "Baclawski" – presumably referencing U.S. Patent 6,442,576 to Edelman and U.S. Patent 6,505,191 to Baclawski. However, the Examiner goes further and states that these references are not "of record".

"Where the Applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." M.P.E.P. 707.07(f). The Examiner is to state his reasons for rejecting Applicant's arguments in the record. Id. "The goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity." M.P.E.P. §706. If the Examiner does not state how his understanding of a particular reference and a pending claim is different from that of the Applicant, the goal of the examination of the application is frustrated.

Applicant has clearly articulated why the pending claims, even before amendment, are not shown even in a combination of Edelman and Baclawski. If the Examiner is maintaining his position that the pending claims are not patentable in light of Edelman and Baclawski, the M.P.E.P. requires that he respond to Applicant's arguments and articulate his reasons for maintaining his rejection. The Examiner cannot "decline to comment" as he did in the present Office Action. Office Action, page 2. Therefore, Applicant must again assume that the claims, even before amendment, are patentable over Edelman in view of Baclawski as. If the Examiner is in disagreement, Applicant respectfully requests articulation of the reasons for such rejection in compliance with the M.P.E.P.

Turning to independent claim 1, Snyder does not teach, parsing a set of pages for a plurality of text and non-text indexable elements; storing the plurality of text and non-text indexable elements individually in a computer readable medium as a plurality of records; searching said records to determine corresponding text and non-text indexable elements.

Although Snyder discusses a form of web page element indexing for future searches by a user, Snyder fails to teach or suggest searching of text and non-text indexable elements within the pages. Specifically, Snyder proposes having a plurality of Agents parse the web pages for various files in order to generate a compressed visual representation of the entire webpage. Snyder discloses using "Web Agent A" for parsing various types of files (e.g. GIF, JPGs, and others), while "Web Agent B" siphons out the website files as needed in order to produce and render complete graphical displays of the webpage. Snyder, Col. 17, lines 50-62. Moreover, Snyder goes on to say "Web Agent B

prepares a visual images as might be provided by a browser. Web Agent B, or a process associated therewith, compresses the visual display of the web page to a predetermined and preferably small image size. Snyder then provides a graphic file showing a miniature window version of how the web page appears if loaded by a browser at substantially the time when the data for the web page was loaded and indexed. Snyder, Col. 18, lines 3-10, lines 45-50. Significantly, Snyder discloses searching of images of entire web pages, as opposed to searching for text and non-text indexable elements within a webpage as claimed.

In light of the above, Snyder does not offer user the opportunity to search for non-text indexable elements of pages/records. Rather, the user of Snyder is searching and viewing a compressed image of the entire webpage (emphasis added). Col. 17, lines 60-62; Col. 28, lines 35-37. Furthermore, the system of Snyder teaches away from the present invention. Specifically, "Web Agent A" skips various multimedia files while scanning various web pages. Col. 24, lines 45-55. Thus, it is unclear how the search engine of Snyder realizes "searching said records to determine corresponding text and non-text indexable elements" without indexing the corresponding webpage elements in the first place.

Regarding claim 7, Snyder does not teach or suggest parsing the record for associated text and non-text indexable elements. Instead, Snyder's "Web Agent A" skips various multimedia files while scanning various web pages. Col. 24, lines 45-55. Thus, it is unclear how the search engine of Snyder realizes "parsing the record for all associated text and a non-text indexable element" without parsing the corresponding webpage elements in the first place.

Regarding claim 12, Snyder does not teach or suggest “a search module for locating at least one qualifying object relating to the search query and for locating a non-text object appearing in the record”. Specifically, Snyder’s “Web Agent A” skips various multimedia files while scanning various web pages. Col. 24, lines 45-55. Thus, it is unclear how the search engine of Snyder realizes “locating a non-text object appearing in the record” without indexing the corresponding webpage elements in the first place. Furthermore, the record’s non-text objects are not retrieved for individualized element searching by the clients. To the contrary, Snyder discloses using “Web Agent A” for parsing various types of files (e.g. GIF, JPGs, and others), while “Web Agent B” siphons out the website files as needed in order to produce and render complete graphical displays of the webpage. Col. 17, lines 50-62. Moreover, Snyder goes on to say “Web Agent B prepares a visual images as might be provided by a browser. Web Agent B, or a process associated with it, compresses the visual display of the web page to a predetermined and preferably small image size. Snyder provides a graphic file showing a miniature window version of how the web page would have appeared if loaded by a browser at substantially the time when the web pages data for the web page was loaded and indexed” (Snyder, Col. 18, lines 3-10, lines 45-50).

Regarding claim 18, Snyder does not teach a query module for searching the database for a link to said non-text indexable element appearing in the record. Indeed, Snyder’s “Web Agent A” teaches away from the present claim by skipping various multimedia files while scanning various web pages. Col. 24, lines 45-55. Thus, it is unclear how the search engine of Snyder is operative to locate a link to a non-text object appearing in the record without indexing the corresponding web page elements in

the first place. Furthermore, the record's non-text objects are not retrieved for individualized element searching by the clients. Specifically, Snyder discloses using "Web Agent A" for parsing various types of files (e.g. GIF, JPGs, and others), while "Web Agent B" siphons out the web site files as needed in order to produce and render a complete graphical display of the webpage. Col. 17, lines 50-62. Moreover, Snyder goes on to say "Web Agent B prepares a visual images as might be provided by a browser. Web Agent B, or a process associated with it, compresses the visual display of the web page to a predetermined and preferably small image size. Snyder provides a graphic file showing a miniature window version of the web page would have appeared if loaded by a browser at substantially the time when data for the web page was loaded and indexed. Col. 18, lines 3-10, lines 45-50.

The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over the prior art of record. Given the applicants' position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

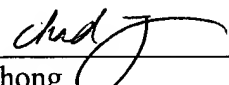
For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance,

the examiner is invited to call the applicants' undersigned representative to discuss any
issues relating to this application.

Date: 5/5/06

Respectfully submitted,

Customer No. 29858
Brown Raysman Millstein Felder &
Steiner LLP
900 Third Avenue
New York, NY 10022
Tel. (212) 895-2000
Fax (212) 895-2900


Chad Zhong
Reg. No. 58,270

I hereby certify that this paper is being deposited this date with the
U.S. Postal Service as First Class Mail addressed to: Mail Stop RCE,
Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450


Chad Zhong

5/5/06
Date